

Comment on Docket 04-37:

I would implore the Commission to in no way weaken or lessen any of the Part 15 regulations. In fact, I would suggest that they be tightened significantly and all possible exceptions (read: loopholes) be removed from the regs.

BPL has already been proven to create some measure of interference. Early trials in Japan, Austria, and Sweden have already resulted in those countries taking steps to halt the implementation of this technology. The laws of physics regarding RF propagation are identical worldwide. I believe that any good engineering peer review of the BPL technology would show that the BPL technology is likely radiate and create interference to an extent large enough to damage the spectrum for licensed users. The Commission has already noted in the NPRM that this is more than just a possibility. The technology is too new, and the overall risks just too great, to turn this loose on the US without very stringent safeguards for all licensed spectrum users. It does sound like the FCC is 'hoping and wishing' nothing detrimental will happen - and doing so is not a sound engineering principle.

Part 15 is already loose enough and difficult to enforce. For the most part, the affected licensed user typically does much of the work in identifying the offending device or operator(s) who are creating the interference. This is something that, in my opinion, should be primarily the responsibility of the FCC.

If license fees are not adequate to fund effective enforcement, then I would certainly support increasing them. Shifting enforcement responsibility to the user, in order to avoid the 'politically inconvenient' process of raising user fees, is not really in the best interest of the spectrum's licensees.

Respectfully submitted, 26 March 2004